

LAW OFFICES
STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

(847) 318-9500

FACSIMILE (847) 318-9509

DONALD J. STORINO
MICHAEL K. DURKIN
RICHARD J. RAMELLO
NICHOLAS S. PEPPERS
THOMAS M. BASTIAN
ANGELO F. DEL MARTO
JAMES E. MACHOLL
BRIAN W. BAUGH
ANTHONY J. CASALE
ANDREW Y. ACKER
PETER A. PACIONE
MELISSA M. WOLF
MATTHEW G. HOLMES
MICHAEL R. DURKIN

June 20, 2016

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ERIN C. TINAGLIA
ADAM R. DURKIN

JOSEPH G. KUSPER
MARK R. STEPHENS
BRYAN J. BERRY
ANN M. WILLIAMS
LEONARD P. DIORIO
RICHARD F. PELLEGRINO
DONALD J. STORINO II

OF COUNSEL

IN REPLY REFER TO FILE NO.

Ms. Jacqueline Sessa
Onvia, Inc.
509 Oliva Way
Suite 400
Seattle, Washington 98101
jsessa@onvia.com

EP-1

Re: Freedom of Information Act Request

Dear Ms. Sessa:

On June 14, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"I am looking for vendor term/annual contracts, however I was unable to find them posted on your website. Can you point out where I would be able to find them, or could you send me a current list of your active contracts?"

I'm looking for active contracts with a title/description, awarded vendor name, and expiration date, rather than a list of purchase orders.

As an example of what I'm requesting, please see the **Contract Calendar** spreadsheet on the City of Newport News purchasing page here: <http://www.nnva.gov/672/Contract-Calendar>

I may periodically reach out to you to request an updated list of annual contracts. As an alternative to these requests, we are offering government agencies complementary access to Onvia's database of over 1.5 million bids, RFPs, specifications and intergovernmental contracts. We're requesting that in exchange for access to Onvia's comprehensive bid and contract library, partnering agencies send a list of awarded bids and their corresponding bid results at a mutually agreeable frequency."

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Please be advised that the Village of Elmwood Park does not maintain a current list of active contracts to provide you with in response to your FOIA request. As you know, the purpose of FOIA is to provide access to public records. FOIA is not intended to create an obligation on the part of any public body to maintain or prepare any public record which was not maintained or prepared by such public body in response to a FOIA request. 5 ILCS 140/1. Accordingly, the Village of Elmwood Park is not required under FOIA to create a list that you are requesting in response to your FOIA request. However, please note that if you identify what contracts you are seeking, the Village of Elmwood Park will provide you with copies of such contracts.

The person responsible for the decision to deny your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Erin C. Tinaglia